



Entered on Docket
March 31, 2010

Hon. Linda B. Riegle
United States Bankruptcy Judge

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10-70537

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Dana Parcell and Nancy Parcell

Bk Case No.: 09-24451-lbr

Date: 3/22/2010
Time: 10:00 am

Chapter 13

Debtors

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to

1 Secured Creditor Wells Fargo Bank, N.A., its assignees and/or successors in interest, of the subject
2 property, generally described as 7720 Sanction Ave, Las Vegas, NV 89131, and legally described as
3 follows:

4 PARCEL 1:

5 LOT EIGHTEEN (18) IN BLOCK FIVE (5) OF ORCHARD VALLEY AT ELKHORN
6 SPRINGS-UNIT 5 AS SHOWN BY MAP THEREOF ON FILE IN BOOK 83 OF PLATS,
7 PAGE 36 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY
NEVADA.

8 PARCEL 2:

9 A NON-EXCLUSNE EASEMENT FOR USE AND ENJOYMENT IN AND TO THE
10 ASSOCIATION PROPERTY AS SET FORTH IN THE MASTER DECLARATION OF
11 COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS
FOR ELKHORN RECORDED MARCH 22, 1995, IN BOOK 950322 AS DOCUMENT NO.
00346, AS THE SAME MAY BE AMENDED AND/OR SUPPLEMENTED, ALL IN THE
OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA .

12 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
13 Debtors at least seven business days' notice of the time, place and date of sale.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
2 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
3 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
4 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

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6 Submitted by:

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8 **WILDE & ASSOCIATES**

9 By:  #10235

10 **Gregory L. Wilde, Esq.**

Attorney for Secured Creditor

11 **APPROVED / DISAPPROVED**

12 By: _____

13 Randolph Goldberg

Attorney for Debtor(s)

14 **APPROVED / DISAPPROVED**

15 By: _____

16 Kathleen A Leavitt

Chapter 13 Trustee

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1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor